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Atty. Docket: 60117.000004

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16158

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of: )  
)  
Jens PETERSEN )  
)  
Application No.: 09/938,669 ) Group Art Unit: 1615  
)  
Filing Date: August 27, 2001 ) Examiner: C. Azpuru  
)  
Title: POLYACRYLAMIDE HYDROGEL )  
AS A SOFT TISSUE FILLER )  
ENDOPROSTHESIS )

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98, Applicant respectfully requests consideration of the references listed on the attached Form PTO-1449. Copies of the references listed are also enclosed.

Applicant respectfully requests that the Examiner consider the references cited on the Form PTO-1449 and that the Examiner indicate that the references have been considered in this application by returning a copy of the Form PTO-1449 with the Examiner's initials in the left column per MPEP 609.

A final Office Action on the merits was mailed on February 24, 2004. Pursuant to 37 C.F.R. § 1.97(d), Applicant encloses the requisite fee and further states under 37 C.F.R. § 1.97(e)(2) that the two U.S. Patents (5,658,329 and 5,700,289) listed on the Form PTO-1449 were not cited in a communication from a foreign patent office in a counterpart foreign

application and that these items were not known to any individual designated in 37 C.F.R.

§ 1.56(c) more than three months prior to the filing of this paper.

Applicant notes that EP 153672 was previously submitted to the Patent Office, but without an English language translation. This reference was not considered by the Examiner as evidenced by the Form PTO-1449 returned to the Applicant with the final Office Action mailed February 24, 2004. Applicant submits herewith a published English abstract for EP 153672 which Applicant believes complies with the concise explanation of relevance pursuant to MPEP 609(A)(3).

A check in the amount of \$180.00 for the filing fee is attached hereto. If any other fees are necessitated by the filing of this Information Disclosure Statement, please charge the undersigned's Deposit Account No. 50-0206.

Date: April 7, 2004

Respectfully submitted,



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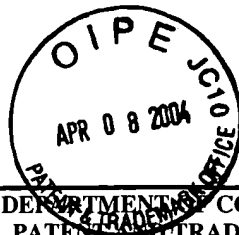
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<b>FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (REV. 7-80) PATENT AND TRADEMARK OFFICE</b>	<b>ATTY. DOCKET NO.:</b> 60117.000004	<b>SERIAL NO.:</b> 09/938,669
	<b>INVENTOR'S NAME:</b> Jens Petersen	<b>EXAMINER:</b> C. Azpuru
	<b>FILING DATE:</b> August 27, 2001	<b>GROUP:</b> 1615

**LIST OF MATERIALS CITED BY APPLICANT**

(Use several sheets if necessary)

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	1.	5,658,329	08/19/97	Purkait			
	2.	5,700,289	12/23/97	Breitbart et al.			
	3.						
	4.						
	5.						
	6.						
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	8.						
	9.						

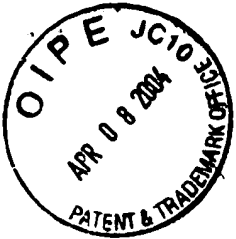
**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION Yes      No	
	10.	0153672 A2	09/04/85	EP			X (Abstract)	
	11.							
	12.							
	13.							
	14.							
	15.							
	16.							
	17.							
	18.							
	19.							

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



1615 B

Attorney Docket No. 60117.000004  
Attorney Customer No. 21967

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

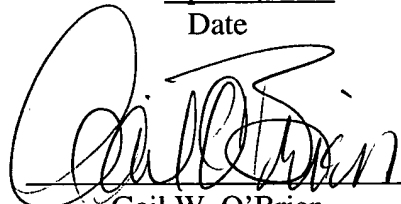
In re Application of:	)	
Jens PETERSEN	)	Group Art Unit: 1615
Application Number: 09/938,669	)	Examiner: C. Azpuru
Filed: August 27, 2001	)	
Title: POLYACRYLAMIDE HYDROGEL	)	
AS A SOFT TISSUE FILLER	)	
ENDOPROSTHESIS	)	

**CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence is being deposited with the United States  
Postal Service with sufficient postage as first class mail in an envelope addressed to:

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

on: April 7, 2004  
Date

  
Gail W. O'Brien

Documents being submitted with this Certification of Mailing under 1.8 are:

- Supplemental Information Disclosure Statement, PTO-1449 and applicable references
- Self-Addressed Stamped Return Postcard
- Check No. 383914 in the amount of \$180.00 for the Information Disclosure Statement

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